CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND THIRTEENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 4 February 1999, at 10.10 a.m.

President: Mr. Grey (United States of America)

GE.99-60590 (E)

The PRESIDENT: I declare open the 813th plenary meeting of the Conference on Disarmament.

I have on my list of speakers for today the representatives of Canada, Spain and Colombia. The representative of Colombia will be speaking on behalf of the Group of 21. I now give the floor to the representative of Canada, Ambassador Mark Moher.

Mr. MOHER (Canada): Mr. President, on behalf of Canada, we congratulate you, the Ambassador and Permanent Representative of our neighbour, close friend and ally, on assuming the challenges of the presidency of the Conference on Disarmament. Your persistence in trying to overcome those challenges is to be much admired. We look forward to cooperating with you as we work together to make substantive progress on disarmament issues in 1999. We also wish to renew our appreciation to your predecessor, Ambassador Soutar of the United Kingdom, for his efforts and cooperation during his presidency and as a member of the current Presidential troika. May we also express a warm welcome to our recently arrived colleagues, the Ambassadors of Colombia, Argentina, Slovakia, Sweden, Israel, Indonesia and Venezuela?

We wish at the beginning of this general statement to emphasize that we agree with the views expressed by many other CD members that the most effective way for this Conference to move forward smoothly and productively in 1999 is to pick up where we left off last August. We should build on the agreements and compromises reached with so much effort in 1998, and I am sure some of you will recall there was some pain on the part of Canada in agreeing to some of those. With that objective in mind, we will comment today briefly on the issues before us in 1999.

In approaching the complex field of nuclear issues, Canada's fundamental objective remains the same - to pursue the goal of the elimination of nuclear weapons, inter alia by promoting and enhancing the integrity and effectiveness of the international nuclear disarmament and non-proliferation regime anchored in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). That objective, as well as the regime and the Treaty upon which it is based, are under severe threat - all must be preserved, promoted and enhanced, now more than ever. Certainly that necessity remains our highest priority, one we hope the other 186 States parties to that Treaty share with us. That priority will remain the acid test for Canada as we evaluate all nuclear proposals, initiatives and negotiations in this Conference. Focusing and reinvigorating nuclear disarmament efforts are critical; reinforcement and implementation of measures to strengthen non-proliferation are equally vital. Above all, the basic principles and objectives of the NPT must be preserved; any move to depart from them in either a de jure or a de facto way so as to create a new nuclear realpolitik must be rejected.

Obviously this will require committed and dedicated work by us all, and not just in the CD. The START process must be reactivated and aggressively pursued and expanded; the CTBT must enter into force; the strengthened NPT process must advance. With regard to the first, Canada is deeply disappointed that yet another year has passed without the ratification of START II. While

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We were encouraged by the efforts made by the two States concerned in late 1998, the promise and intentions behind those efforts must be translated into concrete action. We must remain aware of, and sensitive to, the reality that START II, with its target ceiling of 3,500 strategic nuclear weapons for both the United States of America and the Russian Federation, even when ratified will not come into full effect until 2007. So, for Canada, the public commitments of Presidents Clinton and Yeltsin to the further reductions of START III - that is, to a ceiling of 2,000-2,500 deployed strategic weapons for both parties by 31 December 2007 - remains a commitment of the greatest importance, and we strongly welcome encouraging indications of even further reductions. Thus, much remains to be accomplished. This is even more so given that neither START II nor the proposal for a START III directly address the many thousands of non-strategic (or tactical) nuclear warheads held by each country. And the early engagement of the other nuclear-weapon States in a broader nuclear disarmament process yet remains but an earnest objective. This overview explains why Canada remains so engaged to fully and urgently observing the objective unanimously agreed at the 1995 NPT Review and Extension Conference, that is, the "determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons ...". And it also explains why Canada continues to regard the ABM Treaty and its process as a cornerstone of strategic stability, the integrity of which it is essential to preserve and to protect.

What contribution can the Conference on Disarmament make in this context? Canada addressed this question on five formal occasions last year. In sum, we continue to advocate two specific and concrete actions by the CD. First, a decision to establish a mechanism for the substantive discussion of nuclear disarmament issues with a view to identifying if and when one or more such issues might be negotiated multilaterally; and second, a decision to re-establish the Ad Hoc Committee to negotiate a fissile material cut-off treaty, pursuant to our decision framework in 1998 (i.e. CD/1547 and CD/1644). The first action will require initiative and investment by all CD members building on the wide range of proposals - South African, Canadian, Belgian, Egyptian, Japanese, Group of 21 - before it for consideration. We note with interest the additional proposal put forward by Belgium, Italy, Germany, the Netherlands and Norway on 2 February. The 1997 Canadian proposal, first formally tabled on 21 January 1998 and entitled "Working paper concerning CD action on nuclear disarmament", has been updated as a contribution to that discussion and will be an official document of the CD again in 1999. We recall the CD Presidential declaration of 26 March 1998, reflecting a negotiated understanding and associated assurances with regard to this topic, and emphasizing the "extremely high priority" of agenda item 1, "Cessation of the nuclear arms race and nuclear disarmament". We urge tangible action to demonstrate that priority through the establishment of an effective and credible mechanism.

Equally, we also hope and expect that prompt action by the CD will lead to the earliest possible re-establishment of the Ad Hoc Committee which shall negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, pursuant to documents CD/1547 and

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CD/1548 of last year. In anticipation that this will occur in the very near future, we are reserving our further detailed comment to an early session of that Ad Hoc Committee.

Negative security assurances remain as a question before this Conference. Should the Conference decide in this session to re-establish an ad hoc committee to negotiate "effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", Canada will continue to be guided by the views summarized in our document CD/1502 of 2 April 1998, particularly in the light of various developments since that date.

The immediate answer to the above question is therefore clear in our mind. We should agree to establish a mechanism to review, to assess, to discuss and to consider nuclear disarmament issues with a view to seeing if and when one or more such issues might be negotiated multilaterally in the CD. We should also recommence immediately, in an ad hoc committee, negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, as already agreed last year. These steps will demonstrate and confirm to the international community that the CD is prepared to do its part to meet the nuclear disarmament and nuclear non-proliferation challenge confronting us all.

Turning to conventional arms, as with nuclear issues, clearly the work of the CD should take place in the context of work being done elsewhere. Canada's long-standing policy regarding the proliferation of conventional weapons is to pursue the goals of transparency, dialogue and restraint. We have mechanisms for transparency, such as the United Nations Conventional Arms Register. We should use these mechanisms and improve them. The data generated by these mechanisms should inform discussions about the nature, extent and consequences of excessive conventional arms proliferation. Those discussions should be pursued. Finally, we hope that States can benefit from such discussions so as to refrain from making de-stabilizing sales or acquisitions. While last year, under the Special Coordinator appointed for transparency in armaments, no conclusion was reached, Canada believes the CD should continue to explore how it can make a contribution in this area. We look forward to working with a Special Coordinator to that end in 1999.

There has indeed been much discussion elsewhere about the horrendous suffering caused by small arms and light weapons. Canada is among the many States exploring avenues for dealing with this problem. Our approach concentrates on three interlocking "tracks" dealing with licit transfers, illegal trafficking and the peace-building and human security dimensions, each on global, regional and national levels. Many of these ideas are currently being pursued elsewhere; however, we should continue to consider if and when the CD might usefully contribute. In our 22 January 1998 statement in this Conference, for example, we cited work done in the past concerning the development of guidelines or a code of conduct respecting arms transfers,

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including small arms. Could the CD consider this concept in 1999, building on that earlier work but also on more recent significant initiatives such as the EU Joint Action on Small Arms of December 1998?

With regard to anti-personnel mines, we are pleased that the Mine Ban Convention will enter into force on 1 March of this year. 133 States have signed the Convention and 63 have also ratified. We will continue to pursue its universalization and encourage those which have signed to ratify. We look forward to the First Meeting of States Parties in Maputo, Mozambique, in May of this year. That meeting will launch the formal, indeed legal process of States' implementing the Convention. At the same time, we will continue to work to ensure that the essential partnership with civil society continues. Effective demining and mine victim assistance requires this partnership and benefits from it.

Last year in the CD, others indicated an interest in pursuing a more limited instrument on this issue, perhaps a ban on APM transfers. On this issue, our position remains the same. If such negotiations do take place, the only standards that we will accept are those of the Mine Ban Convention. Canada will not be a party to moving international law backwards. Moreover, for those who wish to pursue a more limited ban restricted to transfers of APMs, we note that this is being discussed informally with respect to the Convention on Certain Conventional Weapons (CCW). In our view, it would be more appropriate to supplement this existing instrument than to create a new instrument. Having said that, as the issue relates to possible work in the CD in 1999, and consistent with our 1998 approach, we will not, of course, object if there is a desire to reappoint a Special Coordinator on this issue.

Last year, the Conference appointed a Special Coordinator to explore the possibility of work on disarmament issues in outer space. Among the ideas considered was a formal proposal from Canada that the CD negotiate a ban of the weaponization of outer space. This was set out in a working paper distributed on 21 January 1998, and an updated version of that paper is being circulated again in 1999.

To address the concerns of the few sceptics, the paper makes clear the fundamental distinction between a ban of the weaponization of outer space and a ban of the militarization of outer space. The former is the essence of our proposal. We believe it is viable and achievable. We will not support the latter - a much broader concept - if it is suggested by others.

Some have suggested that there is no arms race in outer space, so why open up this question? Others have advised that it is at the least premature to consider action in this respect. But we have also taken careful note of authoritative assertions elsewhere that "early in the twenty-first century space will become another medium of warfare" and that an impressive effort is under way to outline a "vision for 2020" - a global engagement strategy that may seek to apply military force directly from outer space. Furthermore, substantial funds are being allocated and capabilities are being explored to prepare for that prospect.

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The consideration of proposals in a multilateral context can contribute to reducing this challenge and to building security in the future. We can only restate Canada's position that disarmament, non-proliferation and arms control are, and should be, about more than rolling back what States have already done once their Governments have developed core security commitments and invested billions in certain capabilities.

Canada obviously believes that the CD can and should act on this premise. We understand no Government's formal policy precludes such action. The renewal of our proposal promotes this forward-looking objective. The recognition that other possibilities for action may also exist spurs our hope that the CD will reappoint a Special Coordinator mandated to explore an approach that will satisfy the international community's desire to preserve and to protect the current benefits from the use of outer space that almost every nation now enjoys, while avoiding the creation of new and daunting security competitions and challenges in the future.

Last year, three Special Coordinators were mandated to consider issues related to reform of the CD. In our view, as with the other Special Coordinators, these three should be reappointed. Regarding membership, Canada believes the CD should be open to any State that wishes to become a member and is committed to participation. In partial recognition of this principle, the earliest possible decision should be taken to admit Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia to this Conference. Their direct participation will enrich the variety and range of views in this Conference as well as strengthen its representative nature. Concerning the agenda, we believe it should be streamlined so as to have a few categories that capture broad issue areas, and that the CD should rather focus more effort on a realistic programme of work. As for the improved and effective functioning of the CD, we appreciate the efforts and thoughtful suggestions of Ambassador Illanes as Special Coordinator last year. We remain willing to consider whatever device might serve to promote our substantive efforts in the Conference while protecting the fundamental interests of members.

In conclusion, the CD remains a vital mechanism for moving forward the multilateral disarmament agenda; it should negotiate whenever possible; it should discuss substantive issues to determine if, how and when such multilateral negotiations can and should be pursued. And it should do so seriously making optimum use of available resources. We have devoted the past two years largely to general debate; 1999 should be a year of substantive action and progress.

The PRESIDENT: I thank the representative of Canada for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Spain, Mrs. Rico.

Mrs. RICO (Spain) (translated from Spanish): Allow me, Mr. President, to join the distinguished representatives who have conveyed their best wishes to you for your term of office, which, we have no doubt, given your proven competence and the talent for dialogue which you have demonstrated in discharging your functions, will be studded with success. The speed with

(Mrs. Rico, Spain)

which the agenda for this session was adopted is a good omen for your presidency and for our work this year as a whole. You may rely on the support and full cooperation of the Spanish delegation at all times. And as this is the first time I have addressed the plenary since I joined this Conference as representative of Spain last August, I would also like to congratulate your predecessors, the representatives of Ukraine, Ambassador Malmeskul, and the United Kingdom, Ambassador Soutar, who directed the Conference at a crucial moment, and thank them for their contribution to our tasks. I would also like to express appreciation for the effective cooperation of the Secretary-General of the Conference and Personal Representative of the United Nations Secretary-General, Ambassador Petrovsky, as well as the Deputy Secretary-General, Mr. Bensmail, and all the secretariat staff, thanks to whom our work is able to proceed calmly and efficiently.

I have not taken the floor today to make a general statement on all the items placed before our Conference for consideration. That statement will come in due time, perhaps when we have adopted a specific programme of work. My intention at this point is only to refer to three issues which I think are particularly interesting at this stage in our work. First of all, the programme of work. It would seem appropriate to do our best to limit this preliminary exploratory phase and to proceed as soon as possible to adopt a programme of work for this year to enable us to resume the tasks in which the Conference was involved when the 1998 session ended and confirm the establishment and the mandate of the two ad hoc committees and all the special coordinators.

After two years of almost complete paralysis, this unique forum - unique not only in terms of its multilateral negotiating function, but also in terms of its membership and its working methods - appeared last summer to have recovered its negotiating momentum, though admittedly only after what Secretary-General Kofi Annan described here the other day as a "highly disturbing development" which caused great concern throughout the international community as well as in this forum.

We would be damaging ourselves and it would to a great extent be incomprehensible if we were to fail to capitalize on the momentum that was generated when we were able to overcome considerable differences in views on how to complete the programme laid down in the NPT Review Conference's document on "Principles and Objectives", and if we were to sink back into ineffectiveness. As we were able to see during the long months of deadlock, this could be the prelude to the sidelining of our Conference.

An essential aspect of this confirmation, in our view, is the urgent adoption of the proposal made last year by Ambassador Hofer to expand the membership of the Conference by five, which was on the point of being adopted at the last session and which Spain energetically supports.

Secondly, I would like to refer to the issue of nuclear disarmament, and the means of fitting it into the programme of work of the Conference, which is the focus of our attention during these preliminary weeks of the annual session. Nuclear disarmament is not just a priority issue for this Conference

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on Disarmament, in its various aspects and angles. It is also, and above all, one of the main concerns of mankind. Consequently, my delegation, like all those present here, enthusiastically welcomed the new impetus given to the bilateral negotiations after the end of the cold war, and particularly the launching of the START process and the prospects for drastic cuts in nuclear arsenals that that entailed. Despite the delays in the entry into force of the agreements already negotiated and the clear slowing of the rate of reduction of arsenals, my country is still convinced that the bilateral route is the rational route being followed by its protagonists in good faith, as they are committed to do by the undertakings entered into among themselves and with the international community as a whole, notably through the Nuclear Non-Proliferation Treaty.

Now, the hope - justified, I believe - that early ratification of the START II Treaty will lead to the deepening of the process of nuclear disarmament, the urgent initiation of the START III negotiations and the subsequent phases of participation by the other nuclear Powers, which have already taken significant unilateral measures, does not, however, mean that countries such as mine, which deliberately and consciously renounced the nuclear option, can rest on our laurels. On the one hand, the risks are still too great. And on the other, there is a very wide-reaching desire in the international community - and particularly in a specialized negotiating forum such as this - to somehow or other increase our involvement in the nuclear disarmament process, which affects us all so directly.

It is true that my country still views with a degree of misgiving the attempts to multilateralize negotiations which have their own strictly identified participants and leaders. The references to artificial calendars and detailed programmes of action which often lack any element of realism, directed to the possessors of arsenals, are still, we feel, impractical and in one way or another counter-productive in terms of achieving rapid progress. They run the risk of converting the calls for nuclear disarmament, which are indeed indispensable, into yet another item of rhetoric in conventional international discourse. But it should also be borne in mind that this very legitimate concern exists and that it is impossible to be forever insensitive to the arguments of those who want to participate in the search for gradual solutions to the present situation of dangerous - and unstable - deadlock. For these reasons we listened with the greatest attention to the various proposals made in recent days. In the opinion of my delegation, the most practical procedure at present - also in view of the closeness of key dates in the international disarmament calendar - would be to take up again the formula, already used last year, of requesting the sitting President, together with the outgoing and incoming Presidents, to study all the proposals submitted here and conduct systematic consultations with delegations to see how best to tackle this issue in the Conference. My delegation would not oppose either the appointment of someone to assist the President in this task, as has been suggested by one delegation (although that person would probably not be like a traditional special coordinator as this Conference understands the job) or the setting up of a working group or another sort of subsidiary body with a mandate which, at this stage, should of course be solely deliberative and informative, as was also proposed. All this, of course,

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without losing sight of the fact that the nuclear States - those which have both the responsibility and the obligation to move the nuclear disarmament process forward - must necessarily cooperate in developing these initiatives.

Third and last, and in close connection with what I said earlier, I would like to place on record the support of my delegation for the early re-establishment of the Ad Hoc Committee to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty which would impose a prohibition on the production of fissile material for atomic bombs and other explosive nuclear devices, and for the early initiation of the negotiations. My delegation hopes that the agreement of 11 August 1998, which was unanimously endorsed by the General Assembly last autumn, will be put into effect as soon as possible, and that the present differences as to the scope, content and verification of the future treaty - which have been noted during the meetings of experts that have been held in Geneva - over the last few weeks will be resolved in the course of negotiations and not in a prior phase. We are furthermore convinced that a good FMCT will not only be the key element which the non-proliferation regime still lacks, but will also, and in any case, constitute a strong incentive to global nuclear disarmament.

To conclude, I would like to inform the Conference that on 19 January last Spain deposited the instrument of ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, or Ottawa Convention, at United Nations Headquarters.

The PRESIDENT: I thank the representative of Spain for her statement and for the kind words addressed to the Chair. I now give the floor to the representative of Colombia, Ambassador Reyes Rodríguez who will be speaking on behalf of the Group of 21.

Mr. REYES RODRIGUEZ (Colombia) (translated from Spanish): In my capacity as Coordinator of the Group of 21, I should like to introduce the proposal for a programme of work for the Conference on Disarmament for the 1999 session, on which the group reached consensus at its meeting yesterday. Our proposal for a programme of work reflects the positions of the group concerning the items on the agenda, and especially the very high priority that the group continues to attach to item 1, "Cessation of the nuclear arms race and nuclear disarmament". The proposal, which I shall read in English, which was our working language, is the following:

(continued in English)

"1. The Conference takes the following decisions:

"(i) The Conference establishes an ad hoc committee on nuclear disarmament 1/ under agenda item 1, 'Cessation of the nuclear arms race and nuclear disarmament'.

"(ii) The Conference establishes, under agenda item 1, entitled 'Cessation of the nuclear arms race and nuclear

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disarmament', an ad hoc committee which shall negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

"(iii) The Conference establishes an ad hoc committee under agenda item 3, 'Prevention of an arms race in outer space', to negotiate specific and concrete measures for the prevention of an arms race in outer space.

"(iv) The Conference establishes an ad hoc committee for agenda item 4, 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons', to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. These arrangements could take the form of an internationally legally binding instrument. The ad hoc committee shall take into consideration all relevant views and proposals present and future and also address questions related to its mandate (CD/1501).

"The ad hoc committees shall present reports to the Conference on Disarmament on the progress of their work before the conclusion of the 1999 session.

"2. The Conference appoints a Special Coordinator under agenda item 6, entitled 'Comprehensive programme of disarmament', to seek the views of its members on the most appropriate way to deal with the questions related to anti-personnel landmines taking into account, inter alia, developments outside the Conference.

"3. The Conference appoints a Special Coordinator under agenda item 7, entitled 'Transparency in armaments', to seek the views of its members on the most appropriate way to deal with the questions related to this item.

"4. In implementing these decisions the Special Coordinators shall take into consideration all relevant views and proposals, present and future.

"5. The Conference requests the Special Coordinators to present early and regular reports on the outcome of their consultations throughout the session, including before the end of the second part of its 1999 session.

"6. The Conference also decides to appoint Special Coordinators on the review of its agenda, the expansion of its membership and its improved and effective functioning. These Special Coordinators, in discharging

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their duties and functions, will take into account all proposals and views, as well as future initiatives. The Conference requests these Special Coordinators to report to it before the conclusion of the 1999 session.

"7. The taking of these decisions contained in paragraphs 2 and 3 does not prejudge the positions of delegations on the eventual establishment of subsidiary bodies on the issues identified, but reflects agreement to advance the Conference's work with a view to reaching consensus. This decision is also taken without prejudice to the rights of members of the Conference to move forward with positions and proposals already made or to be put forward in the future.

"1/ The Group of 21 continues to attach the highest priority to the establishment of an ad hoc committee on nuclear disarmament under agenda item 1.

"The President of the Conference on Disarmament stated at the 811th plenary meeting on 28 January 1999 that he shall try to identify a Special Coordinator in accordance with paragraph 5 (d) of document CD/1036 to assist in carrying out consultations with a view to reaching consensus on the establishment of an ad hoc committee on nuclear disarmament or its mandate.

"A specific proposal on a mandate for the ad hoc committee is being considered by the Group of 21 for presentation."

(continued in Spanish)

I would like to request that this proposal be circulated as an official document of the Conference.

The PRESIDENT: I thank the representative of Colombia for his statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor? I take it that there are none.

Before adjourning this plenary meeting, I would like to inform you that intensive consultations are still under way on the programme of work of the Conference, the request by South Africa for the President to identify a Special Coordinator to assist in carrying out informal consultations with a view to reaching consensus on its proposal to establish an ad hoc committee on nuclear disarmament, as well as on the issue of expansion of membership of the Conference. I urge all delegations to display the necessary flexibility which would allow us to embark soon on our substantive work, taking into account the delicate compromises we reached at the end of last year's session.

I call on the representative of Germany.

Mr. SEIBERT (Germany): Mr. President, I have not taken the floor to deliver a general statement, but rather to address the situation in which we find ourselves. But allow me first to congratulate you on the assumption of the presidency of this Conference. I need not emphasize that we are very happy to see you in the Chair. You can count on the full support of the German delegation in your endeavours to move us forward to substantive work and, in particular, to bring about an early start of negotiations in this Conference. I would also like to warmly welcome our new colleagues who have recently joined the Conference. I look forward to closely cooperating with them.

Germany fully supports your proposal to continue our work at the same point we had, after protracted discussions, arrived at towards the end of last year's session. After all, what was the point of establishing an ad hoc committee under item 1 of our agenda to negotiate a treaty banning the production of fissile material for nuclear weapons, if not to pave the way for the immediate beginning of such negotiations this year? At the time we took this decision on 11 August, it was quite clear that it would not be possible to start substantive negotiations in the little time left of last year's session. Since then, we have not only this decision to build upon, we also have a consensus resolution of the General Assembly welcoming this decision and encouraging the Conference "to re-establish its ad hoc committee at the beginning of its 1999 session".

In the discussions we have had this year, I have not heard a single objection to re-establishing this Ad Hoc Committee. Neither have I heard any objections to re-establishing the Ad Hoc Committee on security assurances, nor against reappointing Special Coordinators on the same subjects as last year. So, if there appears to be general agreement on these items, why can't we take a decision on them? Why can't we take such a decision here and now?

I am, of course, aware that some delegations want decisions on other matters as well. This is understandable. In fact, Germany would like to see additional decisions taken - for instance, on establishing an ad hoc committee to negotiate a treaty banning the transfer of anti-personnel mines. After all, the Special Coordinator proposed a draft mandate during last year's session that almost all delegations were able to accept. I realize, however, that full consensus was not attained. So this year we will need some more - hopefully not too long - consultations on this subject. But why should this be an obstacle to reaffirming immediately the consensus that not only this Conference but also the General Assembly of the United Nations was able to achieve last year?

I am also aware that some delegations believe that all such decisions should be made in the framework of a decision on the so-called "programme of work". They point out rule 28 of our rules of procedure, according to which the Conference shall establish such a programme of work at the beginning of its annual session. The present wording of rule 28 is based on paragraph 7 of the decision contained in document CD/1036, the same document that was discussed at length during our plenary last Thursday. I recommend a closer look at paragraph 6 of that document, which makes it quite clear what was

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meant at that time by "programme of work". It is not a decision on establishing subsidiary bodies. This question is treated in rule 23. There, it is clearly stated that the Conference may establish subsidiary bodies "whenever the Conference deems it advisable for the effective performance of its functions, including when it appears that there is a basis to negotiate a draft treaty or other draft texts".

It is exactly this situation, foreseen in rule 23, that we find ourselves in concerning the negotiations on an FMCT. Therefore, let us start these negotiations at once. I have in the past repeatedly stressed the priority that Germany attaches to such negotiations. We continue to believe that it is through these negotiations that the Conference can, under item 1 of its agenda, most effectively make a tangible contribution towards nuclear disarmament. However, we also believe that the Conference can contribute to this goal through other means as well, although the time has not yet come for multilateral negotiations on nuclear disarmament as such. Germany, together with other delegations, has made a proposal on how to deal with this subject. I do not need to repeat the rationale behind this proposal, since Ambassador Mernier of Belgium has already done so eloquently at our last plenary.

Other delegations have also made proposals under item 1. Germany is willing to discuss all these proposals with an open mind. We should concentrate, however, on substance and not on procedure. Germany believes that the Conference should develop appropriate methods to discuss all relevant issues under item 1. We do not believe, however, that we should waste our time discussing what name to give to these methods - ad hoc committee, special coordinator, Presidential consultations or any other name. We will achieve progress if there is consensus to address substance. We will never achieve consensus through tedious procedural debates. Last year, we were able to reach consensus on the formula of consultations by the Presidential troika. While Germany can support other formulas, the continuation of the troika consultations, which would address all past and future proposals, seems to us the quickest way of getting down to a substantive debate without further delay.

In concluding, I cannot avoid expressing my deep disappointment that we still have not reached a decision on the proposed limited expansion of membership. We are all aware of the reasons why such a decision was not possible last year. To my understanding, these reasons do not pose an obstacle any longer. We ended last year's session with a general expectation, clearly expressed by the distinguished Ambassador of Morocco, that a decision would be taken at the very outset of this new session. Although we would have welcomed a wider expansion, including in particular all applicants of the European Union, we support this limited decision as a further step in an ongoing process. I sincerely hope that such a decision can be taken, if not today then at least at our next meeting.

The PRESIDENT: I thank the representative of Germany for his statement and for his kind words addressed to the Chair. I believe the representative from South Africa would like to take the floor.

Mr. MARTRAM (South Africa): As this is the first time that I take the floor in the Conference on Disarmament, may I congratulate you on your assumption of the office of the President of the Conference on Disarmament and wish you well in the remaining seven days as our President? My delegation is pleased that you will continue your consultations on my delegation's proposal in terms of paragraph 5 (d) of decision CD/1036, and would urge you to consider holding open-ended informal consultations on this issue.

The PRESIDENT: I thank the representative of South Africa for his statement and the kind words addressed to the Chair. Are there any other members who wish to speak?

If I could respond briefly to the statement by my distinguished colleague from Germany, I can assure him that no one would like to take decisions on a work programme more than me, and I welcome your encouragement to get going. I think I have been trying to. That having been said, I think we have many common elements in my proposal for a programme of work and in the proposal just tabled by the G-21. There are, of course, some very important differences as well. It is my hope that the CD can take a pragmatic and realistic approach and at least initiate its work, for it appears there is common ground. That is what I have attempted to do in my proposal. I shall continue to pursue my consultations in the hope that the CD, three weeks into its 1999 session, can get down to substantive work.

Now, that having been said, because the G-21 proposal was only tabled today, some delegations may need time to study it. I hope that next week we shall be able to reach a decision on a work programme, and I shall be working actively with you all in that regard.

This concludes our business for today, unless anyone else wishes to speak. The next plenary meeting of the Conference will be held on Thursday, 11 February, at 10 a.m.

The meeting rose at 11.05 a.m.